

1 Amended Complaint: Third Cause of Action for Tort In Se against Defendants
 2 County and Valdivia; Fourth Cause of Action for Negligence against Valdivia; and
 3 Fifth Cause of Action for Negligence against the County.

4 On February 28, 2017, subsequent to a telephonic conference between the
 5 Court and all counsel for the parties, the Court ordered the parties to file a stipulation
 6 and proposed order dismissing Plaintiff's First Amendment Claim under 42 U.S.C. §
 7 1983 against Valdivia. On March 3, 2017, the Court approved the stipulation of the
 8 parties dismissing Plaintiff's claim under 42 U.S.C. § 1983 based upon an alleged
 9 violation of the First Amendment.

10 On April 4, 2017, Plaintiff's 42 U.S.C. § 1983 claim based upon a violation of
 11 the Fourth Amendment came regularly to trial before the Honorable John F. Walter.
 12 Plaintiff was represented by attorneys Philip K. Cohen and Thomas M. Ferlauto.
 13 Defendant Valdivia was represented by Tomas A. Guterres and Lisa L. Peterson of
 14 Collins, Collins, Muir + Stewart, LLP. There were no other appearances. A jury was
 15 empaneled and sworn. Opening statements were made. Witnesses were called, sworn
 16 and testified. Exhibits were identified and admitted. On April 5, 2017, the parties
 17 rested, and closing arguments were made. The Bailiff was sworn, and the jury was
 18 instructed. The jury retired to deliberate and returned a unanimous Jury Verdict in
 19 favor of Plaintiff.

20 The verdict was read and filed. The Jury was polled and the individual juror
 21 responses were consistent with the Jury Verdict.

22 Based upon the verdict of the jury, and the Court's Orders dated January 19,
 23 2017, February 28, 2017, and May 18, 2017, IT IS NOW ORDERED, ADJUDGED,
 24 AND DECREED AS FOLLOWS:

25 As to Escochea's 42 U.S.C. § 1983 claim against Valdivia based upon a
 26 violation of the Fourth Amendment, judgment is entered in favor of Plaintiff and
 27 against Valdivia in the amount of TWELVE THOUSAND FIVE HUNDRED

1 DOLLARS (\$12,500), plus costs in the amount of \$_____ and attorney's fees
2 in the amount of \$_____.

3 On May 18, 2017, the Court granted County's motion for summary judgment
4 filed on May 8, 2017, after Plaintiff did not file an opposition. Accordingly, as to
5 Plaintiff's 42 U.S.C. § 1983 claim against the County, judgment is entered in favor of
6 the County and against Plaintiff. Pursuant to 42 U.S.C. § 1988, costs are awarded in
7 favor of the County in the amount of \$ _____ and attorney's fees in
8 favor of the County in the amount of \$ _____.

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11 DATED: _____

12 Hon. John F. Walter, judge presiding
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1 Approved as to form and content:

2 DATED: May 31, 2017

The Law Office Of Thomas M. Ferlauto, APC

3
4
5 By: 

6 Thomas M. Ferlauto

7 Attorney For: Plaintiff, JESUS ESCOCHEA

8
9 DATED: May 31, 2017

10 COLLINS COLLINS MUIR + STEWART LLP

11
12 By: 

13 LISA L. PETERSON

14 TOMAS A. GUTERRES

15 Attorneys for Defendants,

16 COUNTY OF LOS ANGELES and

17 RONALD VALDIVIA

PROOF OF SERVICE
(CCP §§ 1013(a) and 2015.5; FRCP 5)

State of California,)
) ss.
County of Orange.)

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 750 The City Drive, Suite 400, Orange, California 92868.

On **this date**, I served the foregoing document described as [PROPOSED] AMENDED JOINT JUDGMENT on the interested parties in this action by placing same in a sealed envelope, addressed as follows:

SEE ATTACHED SERVICE LIST

- ☐ **(BY MAIL)** - I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail in Orange, California to be served on the parties as indicated on the attached service list. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at: Orange, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **(BY CERTIFIED MAIL)** - I caused such envelope(s) with postage thereon fully prepaid via Certified Mail Return Receipt Requested to be placed in the United States Mail in Orange, California.
- ☐ **BY EXPRESS MAIL OR ANOTHER METHOD OF DELIVERY PROVIDING FOR OVERNIGHT DELIVERY**
- ☒ **(BY ELECTRONIC FILING AND/OR SERVICE)** - I served a true copy, with all exhibits, electronically on designated recipients listed on the attached Service List on: 5/31/17 (Date) at _____ (Time)
- ☐ **FEDERAL EXPRESS** - I caused the envelope to be delivered to an authorized courier or driver authorized to receive documents with delivery fees provided for.
- ☐ **(BY FACSIMILE)** - I caused the above-described document(s) to be transmitted to the offices of the interested parties at the facsimile number(s) indicated on the attached Service List and the activity report(s) generated by facsimile number (714) 823-4101 indicated all pages were transmitted.
- ☐ **(BY PERSONAL SERVICE)** - I caused such envelope(s) to be delivered by hand to the office(s) of the addressee(s).

Executed on May 31, 2017 at Orange, California.

- ☐ **(STATE)** - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ **(FEDERAL)** - I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.



Patrice Porter
pporter@ccmslaw.com

Jesus Escochea vs. County of Los Angeles
USDC Case No. 2:16-cv-00271 JFW (JEMx)
Our File No. 19908

SERVICE LIST

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